



**CITY OF MORGAN HILL  
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION**

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**PLANNING COMMISSIONERS**

John Moniz, Chair  
Joseph Mueller, Commissioner  
Wayne Tanda, Commissioner  
Susan Koepp-Baker, Commissioner

Robert Benich, Vice Chair  
Jerry Dommer, Commissioner  
John McKay, Commissioner

**PLANNING COMMISSION MEETING**

**JULY 12, 2011**

**CITY COUNCIL CHAMBERS  
CIVIC CENTER  
17555 PEAK AVENUE  
MORGAN HILL, CA**

**REGULAR MEETING - 7:00 P.M.**

**\*\*\* A G E N D A \*\*\***

**NOTICE TO THE PUBLIC**

*The following policies shall govern the conduct of the Planning Commission meetings:*

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
  - *Those supporting the application*
  - *Those opposing the application*
  - *Those with general concerns or comments*
  - *Presentations are limited to 5 minutes*

## PLANNING COMMISSION AGENDA

JULY 12, 2011

PAGE 2

### **DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

#### **OPEN PUBLIC COMMENT PERIOD (5 MINUTES)**

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

#### **ORDERS OF THE DAY**

**MINUTES:** The June 28, 2011 minutes will be included in the August 9, 2011 agenda packet.

#### **CONTINUED PUBLIC HEARING:**

- 1)      **20 Minutes**      **AMENDMENT TO POLICY FOR TENTATIVE SUBDIVISION MAP APPROVAL PRIOR TO AWARD OF ALLOCATIONS:** A request to amend City Council policy CP 06-04 "Tentative Subdivision Map Approval." The specific request is to eliminate the on-going project requirement, approved master plan requirement and eliminate the two year tentative map expiration for projects seeking tentative map approval for projects that are not fully allocated.

**Recommendation:** Re-Open public hearing. Discuss and forward recommendation to Council.

#### **PUBLIC HEARINGS:**

- 2)      **30 Minutes**      **USE PERMIT, UP-11-01: TECHNOLOGY-MAGUIRE:** The applicant requests an approval for a conditional use permit to operate a dental practice in an existing building located at 18455 Technology Dr. The property is located in a PUD zoning district with Light Industrial designated uses. The project is categorically exempt from environmental assessment under Section 15301 of the California Environmental Quality Act (CEQA Guidelines) (APN 726-31-012)

**Recommendation:** Open public hearing and continue to August 9, 2011.

- 3)      **25 Minutes**      **ZONING AMENDMENT, ZAA-03-15A/SUBDIVISION AMENDMENT, SDA-05-02: PEET-LUPINE:** A request for approval to amend the precise development plan and subdivision map for Phases 4 and 5 of the Alicante Estates Project. The proposed amendments would relocate two previously approved lots to an area currently designated for an open space/park area and create a remainder parcel for a future two-lot subdivision. The proposed amendments would allow for the creation of two additional residential lots, resulting in a total of 94 residential units at project build out. The overall Alicante Estates project is approximately 62 acres in size, and is located in an R1(12,000)/Planned Development Zoning District (APNs 728-34-025 and 728-49-001 thru 025, -028 thru -046, -048 thru -059, -061, and -063 thru -069).

## **PLANNING COMMISSION AGENDA**

**JULY 12, 2011**

**PAGE 3**

**Recommendation:** Open public hearing. Adopt resolution recommending Council approval of zoning amendment. Adopt resolution approving subdivision amendment.

### **OTHER BUSINESS:**

- 4) 45 Minutes **BUDGET UPDATE PRESENTATION:** Update on the FY11-12 budget and the impact of budget actions upon the Planning Commission work plan.

### **TENTATIVE AGENDA FOR THE JULY 26, 2011 MEETING:**

- No items scheduled at this time.

### **ANNOUNCEMENTS**

### **CITY COUNCIL REPORTS**

### **ADJOURNMENT**

### **SPEAKER CARD**

*If you wish to address the Commission on any issue that is on this agenda, please complete a speaker request card located in the foyer of the Council Chambers, and deliver it to the Deputy City Clerk prior to discussion of the item. You are not required to give your name on the speaker card in order to speak to the Commission, but it is very helpful. As you are called, please walk to the podium to be recognized by the Chairperson. Please speak directly into the microphone while making your comments. Please limit your remarks to three (3) minutes.*

### **NOTICE**

#### **AMERICANS WITH DISABILITY ACT (ADA)**

*The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.*

*If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.*

### **NOTICE**

*NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.*

**PLANNING COMMISSION AGENDA**

**JULY 12, 2011**

**PAGE 4**

**NOTICE**

*The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.*

**NOTICE**

*All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act that are distributed to a majority of the Planning Commission less than 72 hours prior to an open session, will be made available for public inspection at the Office of the City Clerk at Morgan Hill City Hall located at 17555 Peak Avenue, Morgan Hill, CA, 95037 at the same time that the public records are distributed or made available to the Planning Commission. (Pursuant to Government Code 54957.5)*